

[June 7, 2011 v1]

Form 6. CONSERVATOR'S 90 DAY REPORT

Name of Person Filing Document: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Attorney Bar Number (if applicable): _____

Licensed Fiduciary Number (if applicable): _____

Representing Self or Attorney for: _____

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF «COUNTY»

IN THE MATTER OF THE
CONSERVATORSHIP FOR

«Protected Person's Name»,

☐ a Minor
☐ an Adult

NO. «CaseNo.»

CONSERVATOR'S
90 DAY REPORT

☐ Amendment

(Assigned to the Honorable
«Judicial Officer»)

Confidential Document

Rule 7, Rules Probate Proc.

REQUIRED ATTACHMENTS, which are to be attached in the following order:

- ☐ INVENTORY
- ☐ SCHEDULE 1: Statement of Receipts and Disbursements
- ☐ SCHEDULE 2: Statement of Net Assets
- ☐ SCHEDULE 3: Statement of Sustainability of Conservatorship
- ☐ Supporting Detail required for SCHEDULE 1
- ☐ Supporting Detail required for SCHEDULE 2
- ☐ Supporting Detail required for SCHEDULE 3

CONSERVATOR'S CERTIFICATION

I, the undersigned, acknowledge that I have read and reviewed this form, accompanying schedules and attached supplements, and after reasonable inquiry have a good faith belief that the information in this report is true, accurate and complete to the best of my knowledge and belief.

<<Conservator Name>>

<<Date>>

Form 6. Continued

INSTRUCTIONS FOR FORM 6: FIRST CONSERVATOR'S ACCOUNT

Purpose of Form:

Use Form 6 to prepare and report the "90 Day Report", which includes an Inventory, initial Budget, and initial calculation of the Sustainability of the Conservatorship.

This form is the precursor to filing the first conservator's account on Form 7, and each subsequent conservator's account on Form 8, until you file your final account on Form 9. If you are required to provide a budget with your annual conservator's account, report the budget on each respective form.

If this conservatorship consists of a small estate or has very little activity, you can ask the Court to simplify your filing requirements, such as:

- Filing only an Inventory, rather than a complete Form 6, and
- Filing Form 10 for each of your conservator's accounts, which is a simplified annual reporting form.

However, you must file the detailed reports, unless simplified reporting procedures are authorized by the Court.

When to File:

Generally, a conservator is required to file three reports 90 days after their appointment: the Inventory, initial budget, and an initial calculation of Sustainability of the Conservatorship. All three required reports are included in Form 6, which is a comprehensive 90 day report.

However, you must review the Court's orders in your case, which may establish a different due dates or different reporting requirements that the conservator is required to follow, since every conservatorship is unique to some degree.

Form 6 is filed as a confidential document; the report is not available for public inspection.

General Instructions:

All references in these instructions to "you" refer to the conservator, and all references to "year" refer to the reporting or accounting period, even though the first conservator's account typically covers a nine month period.

Unless otherwise ordered by the Court, Form 6 requires attachments, including but not limited

to the official Inventory; SCHEDULE 1: Statement of Receipts and Disbursements; SCHEDULE 2: Statement of Net Assets; and SCHEDULE 3: Statement of Sustainability of Conservatorship. In addition to the required schedules, certain answers require supporting detail, which are also required attachments to Form 6. As to any supporting detail, identify the schedule, line and, if appropriate, column that is detailed.

You should complete the Inventory and then the required schedules prior to completing Form 6, because Form 6 is essentially a coversheet as you gather together your complete report, and it includes a certification that the report is true, accurate and complete to the best of your knowledge and belief. Don't sign this certification until you have read and reviewed the completed report.

Helpful Suggestion:

These instructions assume that Form 6 and all schedules are being completed manually on paper forms. However, Form 6 and all schedules are also available in an electronic format at no cost and will automate all of the calculations. Please see:

www.azcourts.gov/ [add full cite]

Notice:

Any estimates allowed or required by these instructions are not designed or intended as a basis for civil or criminal liability. Neither is it intended to be the basis for litigants to seek collateral remedies against each other or to obtain tactical advantages in proceedings before a court.

Specific Instructions:

Inventory:

An Inventory is required from a conservator and is included as an attachment to Form 6. Please see Section 14-5418 Arizona Revised Statutes and Arizona Probate Rule 30.

Unless otherwise ordered by the Court, do not include any property in your inventory that is titled in the name of a different legal entity,

such as property held by a trust or corporation, unless you as conservator can exercise a power of direction over the asset. A power of direction includes the ability to direct the other legal entity to transfer title or possession to the property.

When listing the value of all assets do NOT deduct any liens or mortgages. Report debts separately as liabilities but identify if any debt is secured against any particular asset.

SCHEDULE 1 (Form 6): Statement of Receipts and Disbursements

Column Instructions:

SCHEDULE 1 consists of columns that mostly do not apply to Form 6. Only Column F is utilized with Form 6. **Please note: Columns A through E, as well as Column G, are not used on Form 6 and are intentionally left blank.**

Column F – Budget Current Year: Complete Column F if the court requires a budget for the year that is just beginning. This is where you present a budget of receipts and disbursements for the coming year.

Please note: unless otherwise directed by the Court, your Budget for the current year is for the first nine (9) months after your appointment; the first budget is not for an entire year.

Line Instructions:

As you determine what to enter on each line, please remember that transactions are recognized on SCHEDULE 1 when money is received or money is disbursed by the conservatorship. In accounting terms, transactions are recognized on a cash basis: you list receipts and disbursements when money effectively changes hands.

For example, if a cost is incurred but not paid before the end of a reporting period, the cost is not listed as a disbursement until paid.

For example, if a check is mailed before the end of a reporting period but does not clear the bank until early in the next reporting period, the disbursement is treated as paid when the check was mailed.

Receipts reported on SCHEDULE 1 include any money, whether income to the estate, liquidation of any general estate asset, or the proceeds of any loan to the estate.

Once you determine which columns of SCHEDULE 1 are required, complete each row as follows:

Line 1 – Start Date of each Period: Enter the start date for each period.

For example, if a conservator is appointed on October 1, 2011, the first budget and first conservator's account will cover the nine months ending on June 30, 2012. Typically, the first conservator's account would then be due on September 30, 2012, for the period from October 1, 2011 to June 30, 2012:

- *Column F will have a start date of October 1, 2012.*

Line 2 – End Date of each Period: Enter the end date for each period. *Using the preceding example, the end date is June 30, 2012.*

Line 3 – Retirement and Disability Income:

Enter all regular and recurring income that is expected as a result of retirement or disability, including but not limited to Social Security, Railroad Retirement, pension benefits, Social Security Disability, Supplemental Security Income, and worker's compensation benefits. Do NOT include distributions from tax-deferred investments, such as 401K and IRA funds. *Remember: unless otherwise ordered by the Court, the budget is for nine months.*

Line 4 – Annuities, Structured Settlements, and Trust Income: Enter all income that is expected from annuities, structured settlements or trust income that is not already included in line 3.

Line 5 – Wages and Earned Income: Enter all expected wages and earned income of the protected person that is not included in lines 3 or 4.

Line 6 – Investment and Business Income: Enter all expected investment and business income, including but not limited to interest, dividend, rent, and royalty income that is not included in lines 3, 4 or 5.

Line 7 – Other Receipts: Enter any other expected receipts that are not included in lines 3 through 6, including but not limited to any other income, any distributions from tax-deferred investments, such as 401K or IRA funds, any amount expected from selling an asset, or the proceeds from any new loan to the protected estate. Attach a detailed statement explaining the other receipts.

Line 8 – Total Receipts: Add lines 3 through 7 in each column to calculate the Total Receipts budget.

Line 9 – Assets/Liabilities as Receipts: The number you reported on line 8 shows the total receipts expected to the conservatorship, but it is also important for the Court to know whether

the conservatorship is going to be able to meet the lifetime needs of the protected person; and for this reason, the court needs to know how much of the receipts are expected to come from consuming assets or from borrowing money.

Enter on line 9 the amount of money that is already included in line 8 that is expected to come from selling or liquidating an asset or from incurring a new liability.

For example, if you expect a required minimum distribution from an IRA fund which pays out the earnings as well as some amount of the principal, enter the total distribution on line 7 and enter the amount of the principal expected on line 9.

For example, if you expect the proceeds from an installment sale over a period of years, and this year you expect interest on the unpaid balance plus a payment on the balance due, enter the total payment expected this year on line 7 and enter the principal portion of the receipts on line 9.

For example, if you expect to sell an asset, such as a residence, enter the net amount expected on line 7 and enter the same amount on line 9.

For example, if the conservator expects to borrow money to pay the bills of the protected person, enter the amount of the new loan on lines 7 and 9 and include as a liability on SCHEDULE 2.

Line 10 – Total Income included in Receipts: Subtract line 9 from the Total Receipts on line 8.

Line 11 – Food, Clothing, and Shelter: Enter the expected disbursements for goods or services provided to a protected person that are essential for survival, excluding medical costs but including food, clothing, and shelter for the protected person. (For the limited purpose of reporting a disbursement on line 11, expenditures for food, clothing, and shelter remain essential for survival even if there are less expensive alternatives.)

For example: enter the regular fees to a care facility, required companions or care providers, food, clothing, toiletries, utilities, or household expenses including home mortgage payments for the protected person's residence.

Line 12 – Medical Costs: Enter all of the expected medical payments for the protected person that are not included on line 11, including but not limited to medical, dental, optical, hearing, medical equipment and supplies, prescription and non-prescription medicines, insurance premiums and co-pays.

Line 13 – Dignity Funds: Enter the amount of funds that are budgeted to release directly to the protected person as a spending allowance. Do NOT report how the protected person expends these funds; these funds are no longer considered part of the conservatorship estate once distributed.

Line 14 – Debt Service on Liabilities: Enter the amount of expected debt service payments on debts, such as loans and personal debts of the protected person.

- Do NOT include the home mortgage payment on the residence where the protected person resides (this was reported on line 11).
- Do NOT include as debt service any disbursements for obligations incurred in a prior period of the conservatorship, such as fiduciary and attorney fees and costs. Report these amounts in the appropriate disbursement category when paid.

For example, if the fiduciary earned a fee in one period, but the fee is paid in a later period, the fee is reported as a disbursement on line 18 when expected to be paid, NOT line 14. Any operating bills of the conservatorship are treated in the same manner, such as fees to care providers that are incurred but not paid until a later year.

For example, if the protected person has an outstanding credit card debt that was incurred before a conservator was appointed, the debt service payments on this debt are reported on line 14.

For example, if the protected person has an outstanding car loan that was incurred before a conservator was appointed, the debt service payments on this debt are reported on line 14.

For example, if the Conservator takes out a loan for the benefit of the protected person, such as a loan to fund the needs of the protected person until real estate or a business interest is sold, all debt service payments on this debt are reported on line 14.

Line 15 – Discretionary Expenditures: Discretionary expenditures means all goods and services provided to a protected person that are not essential for survival but are designed to improve or prolong the quality and enjoyment of life for the protected person, such as entertainment and vacation costs. Discretionary care does NOT include expenditures that are included on another line on SCHEDULE 1.

Line 16 – Other Disbursements for Protected Person: Report other disbursements that are expected for the protected person but

not included on another line on SCHEDULE 1, including disbursements that are made for a dependent of the protected person. Include on line 16 the purchase of any asset, such as a residence, vehicle, or computer. Attach supporting detail explaining the other disbursements.

For example, if a residence is purchased for the protected person, report the planned cash down-payment on line 16, mortgage payments on line 11, and list the mortgage as liability on SCHEDULE 2. (see line 24 where this down-payment is also entered)

For example, if the conservator plans to invest in a marketable security, such as a mutual fund or publically traded stock, enter the disbursement on line 16 (see line 24 where this purchase is also reported).

For example, enter on line 16 any tax payment that is not already listed on another line.

Line 17 – Total for Protected Person: Enter the sum of lines 11 through 16.

Line 18 – Fiduciary Fees and Costs: Enter the anticipated expenditures for Fiduciary Fees and Costs. Fees are compensation paid to the Fiduciary. Costs include administrative charges that are authorized in the Statewide Fee Guidelines, such as filing fees and postage. Costs do NOT include funds advanced for the benefit of a protected person, such as disbursements for food, clothing and shelter.

Line 19 – Fiduciary’s Attorney Fees and Costs: Enter the Fiduciary’s Attorney Fees and Costs.

Line 20 – Protected Person’s Attorney Fees and Costs: Enter the Protected Person’s Attorney Fees and Costs, including court-appointed counsel and any guardian ad litem, if paid by the conservator.

Line 21 – Other Administrative Fees and Costs: Report other disbursements that are expected as an administrative fee or cost of the conservatorship that are NOT included on another line on SCHEDULE 1, such as an appraiser, financial advisor, court investigator, or accountant. Attach supporting detail explaining any other expenditure.

Line 22 – Total Administration Disbursements: Enter the sum of lines 18 through 21.

Line 23 – Total Disbursements: Add lines 17 and 22.

Line 24 – Assets/Liabilities as Disbursements: The number you reported on line 23 shows the total budgeted disbursements

of the conservatorship, but the court also needs to know how much is planned for disbursement to satisfy debts or acquire assets.

Enter the amount that is included in line 23 that will reduce the principal balance of a debt or be used to acquire an estate asset.

For example, if you will expend funds on an installment purchase over a period of years, and this year you pay interest on the unpaid balance plus a payment on the balance due, enter the total payment (interest and principal) on line 14 and enter the principal portion of the payment on line 24.

For example, if you will buy a residence for the protected person, enter the net amount planned to disburse as a down-payment on line 14 and enter the same amount on line 24. Thereafter, any mortgage payments are reported on line 11, and this obligation will now be reported as a debt on SCHEDULE 2.

For example, if the conservatorship previously borrowed money to pay the bills of the protected person, enter any the debt service payment for the loan on line 14 (including principal and interest), and enter the principal amount paid (but not interest) on line 24.

Line 25 – Total Expenses in Disbursements: Subtract line 24 from the Total Disbursements on line 23.

Line 26 – Total Surplus/(Shortfall): Enter line 8 minus line 23. If the amount is positive, this is a cash-flow Surplus. If the amount is negative, this is a cash-flow Shortfall, and the number must be displayed in parentheses or preceded by a negative sign.

Line 27 – Net Income/(Net Expenses): Enter line 10 minus line 25. If the amount is positive, this is the amount by which income is budgeted to exceed expenses. If the amount is negative, this is the amount by which expenses are budgeted to exceed the income of the conservatorship, and a negative number must be displayed in parentheses or preceded by a negative sign.

SCHEDULE 2 (Form 6): Statement of Net Assets

Section 1 – Net Assets: The first section of SCHEDULE 2 includes a summary of the inventory.

Column Instructions:

SCHEDULE 2 consists of columns that mostly do not apply to Form 6. Only Column B is utilized with Form 6. **Please note: Column A and**

Columns C through E are not used on Form 6 and are intentionally left blank.

Column B – Inventory Summary: Complete Column B to display a summary of your Inventory.

When reporting the value of all general assets do NOT deduct any liens or mortgages. Debts are separately reported as liabilities.

Line Instructions:

Line 1 – Valuation Report Date: Enter the date of the inventory.

Line 2 – Real Estate: Enter the value of all real estate owned by the estate, such as the residence of the protected person, any rental or vacation real estate, and any cemetery plots. *Remember to enter the gross value of ALL assets and do not deduct liens or mortgages; ALL liabilities are listed separately on line 17 as debts.*

Line 3 – Vehicle(s): Enter the value of any vehicles, such as a personal automobile, motorcycle, golf cart, watercraft, airplane, or recreational vehicle.

Line 4 – Business Ownership Interests: Enter the value of any business ownership interests, such as a closely held family business. Do not list shares in a publicly traded corporation on line 4.

Line 5 – Household Items and Personal Effects: Enter the value of household items and personal effects that are owned by the protected person, which commonly include the property that the protected person stored in his or her primary residence, including displayed collectible items. Property with significant value, like precious jewelry and valuable collections, should be itemized and included separately on line 8.

Line 6 – Stocks, Bonds, and Mutual Funds, not tax-deferred: Enter the present value of stocks, bonds, mutual funds, and other marketable securities, such as savings bonds and bearer bonds, but excluding business interests that were entered on line 4 or tax-deferred assets that are entered below on line 7.

Line 7 – Tax-Deferred Assets: Enter the present value of tax-deferred assets, such as IRA and 401(K) accounts. Include all tax-deferred assets, including but not limited to tax-deferred cash accounts, certificates of deposit, savings accounts, and brokerage accounts.

Line 8 – Other General Assets: Enter the present value of all other assets that are not already listed, excluding cash and regular bank accounts. Include the cash value of any

insurance policies or any prepaid benefits, such as prepaid funeral plans.

Line 9 – Total General Assets: Enter the sum of lines 2 through 8.

Line 10 – Bank Accounts, Restricted Access: Enter the cash balance of any bank accounts that are court-restricted, meaning funds may not be withdrawn without a court order. Bank accounts include checking, saving, certificates of deposit, money market accounts, and all functionally similar accounts, whether in a bank, savings and loan, credit union, or other similar financial institution. Do not include tax-deferred assets that were listed above on line 7.

Line 11 – Bank Accounts, Unrestricted Access: Enter the cash balance of any bank accounts that are NOT court-restricted, meaning funds may be withdrawn without a court order.

Line 12 – Cash on Hand: Enter the amount of currency that you have on behalf of the estate, such as a petty cash fund. Do not include coin collections on this line, unless the coins have no collectible value above the face value of the coins.

Line 13 – Other Money-Denominated Assets: Enter the value of other money denominated assets, such as a cash card. These assets are functionally equivalent to money in a bank account and do not change in value by market fluctuation, except by receipt of a dividend or interest. Attach supporting detail.

Line 14 – Total Cash and Bank Accounts: Enter the sum of lines 10 through 13.

Line 15 – Total Available Assets: Add lines 9 and 14.

Line 16 – Bills & Payables more than 30 days old: Enter the amount of any and all past-due bills and payables, plus ALL incurred but unpaid fiduciary and attorney fees and costs, as of the end of the reporting period. Attach supporting detail.

Line 17 – Debts: Enter the amount of all other debts, such as notes, mortgages, credit cards and personal loans, as of the end of the reporting period. Attach supporting detail.

Line 18 – Total Liabilities: Add lines 16 and 17.

Line 19 – Net Assets: Enter line 15 minus line 18. This is the value of the net assets as of the date of the reporting period.

Section 2 – Reconciliation of Conservator's Account: The second section of SCHEDULE 2 does not apply to Form 6 and is intentionally left blank.

SCHEDULE 3 (Form 6): Statement of Sustainability of Conservatorship

The purpose of SCHEDULE 3 is to estimate how long the conservatorship estate can meet the expenses of the protected person, and then to compare whether that duration is longer or shorter than the estimated lifespan of the protected person. A conservatorship estate that can meet the predicted expenses of a protected person is considered sustainable, while a conservatorship estate that cannot is not sustainable. A conservatorship estate must have a written management plan if it is not sustainable.

Column Instructions:

SCHEDULE 3 consists of columns that mostly do not apply to Form 6. Only Column B is utilized with Form 6. **Please note: Column A and Columns C through E are not used on Form 6 and are intentionally left blank.**

Column B – Original Sustainability

Estimate: Complete Column B to provide your estimates on the sustainability of the conservatorship. Your estimates should be based upon the most current information that is reasonably available to you.

As a reminder, the information provided on this schedule is a good faith estimate based upon the information that is reasonably available to you. Some information may be easy to calculate and should be accurate, such as money available in bank accounts, but some information is very difficult to estimate, such as the projected life expectancy of the protected person. This schedule requires you to share what you believe to be true, not what you can prove to be true. You are not making an avowal; you are telling the Court what you think is true in this particular case for this particular protected person.

Line Instructions:

Line 1 – Report Date of Sustainability

Estimate: Enter the date of the report of sustainability.

Overview of Lines 2 through 4: You calculated the net assets of the conservatorship estate on SCHEDULE 2, but there may be additional factors that may impact those assets looking forward, such as additional assets that might come from an inheritance or a personal injury claim. Likewise, looking forward, some assets might be needed for known one-time expenditures, such as a major medical expenditure or the startup costs for the conservatorship. Once these adjustments are made, if any, the remaining net assets should be available to meet the typical or recurring needs of the protected person.

Said another way, you are calculating the net assets that are thought to be available to meet the regular and recurring needs of the protected person from this point forward

Line 2 – Net Assets: Enter the value of the Net Assets available to the estate, as calculated on SCHEDULE 2, Column B, line 19.

Line 3 – Adjustments: Enter zero, unless adjustments are required. If so:

- Enter as a positive value any new and significant assets that you expect to come into the conservatorship, such as an inheritance or a personal injury award.
- Enter as a negative value any assets that need to be used to satisfy any planned, one-time, significant expenditures, such as one-time medical cost, large repairs, or the cost to stabilize the conservatorship.

Explain any adjustments as supporting detail on a separate page.

Line 4 – Adjusted Net Assets: Add a positive value on line 3 to line 2, or deduct a negative value on line 3 from line 2. This is your estimate of the assets that will be available to meet the recurring needs of the protected person.

For example, if the net asset figure on line 2 is \$100,000, and line 3 is a positive value, such as \$5,000, enter the sum of both numbers, \$105,000 on line 4. However, if line 3 instead has a negative value, such as minus \$8,000, which can be written as -\$8,000 or (\$8,000), you would enter \$92,000 on line 4.

Overview of Lines 5 through 7: You already calculated the budgeted net income or the net expenses of the conservatorship estate on SCHEDULE 1, but there may be additional factors that impact the typical or recurring net income or net expenses looking forward, such as income or expenses that will change in the future. Said another way, what will be the regular or recurring net income or net expenses in a typical year?

Line 5 – Net Income/(Net Expenses): Enter the value of the budgeted net income or net expenses for the estate as calculated on SCHEDULE 1, line 27, Columns F. Enter net income as a positive number, and enter net expenses as a negative number.

Line 6 – Adjustments: Enter zero, unless adjustments are required. If so:

- Enter as a positive value any significant one-time expenses that were recognized as a disbursement when calculating the net income or net expenses for the year just ended, such as a one-time medical cost or the startup cost for the conservatorship.
- Enter as a positive value any significant and recurring income that was not recognized (or not fully recognized) when calculating the net income or net expenses for the year just ended, such as a new source of income like disability benefits.
- Enter as a negative value any significant and recurring expenditure that was not recognized (or not fully recognized) when calculating the net income or net expenses for the year just ended, such as a new or increased expenditure for care of the protected person.
- **Once any other adjustments are first determined, convert what remains as a nine month budget into an annual figure.**

For example, if the protected person now receives a regular and recurring disability payment of \$1,000 per month, and only the first three months of benefits was included in the net income or net expenses for the year just ended, there is a required positive adjustment in the amount of \$9,000, which recognizes the additional income that will be received in a typical year (since 3 months was already recognized).

For example, if the protected person incurred a substantial one-time expenditure, which was a disbursement when calculating the net income or net expenses for the year just ended, this is a positive adjustment, since this disbursement will not recur in a typical year. This might occur with the one-time cost for a new roof on the protected person's residence.

For example, if the protected person will now require additional care services, which was not previously included as a disbursement in calculating the net income or net expenses, this is a negative adjustment.

For example, if after making all the adjustments, you calculate that the budgeted net expenses are approximately \$9,000 over nine months, this should equate to annual expenses of about \$12,000, if you divide the nine month figure by nine and then multiply it by twelve.

Explain any adjustments as supporting detail on a separate page.

Line 7 – Adjusted Net Income/(Net Expenses): Add the positive value on line 6 to line 5, or deduct the negative value on line 6 from line 5. This is your estimate of the regular and recurring net income or net expenses of the conservatorship.

If line 7 is a positive value, you are estimating that the conservatorship is sustainable because the conservatorship is expected to produce more income than it expends. If line 7 is positive, do NOT complete lines 8 through 10; skip to line 11.

If line 7 is a negative value, continue to line 8.

Line 8 – Enter Adjusted Net Assets: Enter the number calculated on line 4.

Line 9 – Enter Adjusted Net Expenses: Enter the absolute value of the number calculated on line 7. This means you will enter a positive number for the value that is shown on line 7 as a negative number. Said another way, ignore the negative sign when entering this number on line 9.

Line 10 – Estimated Years of Sustainability: Enter here line 8 divided by line 9. This is your estimate of the number of years that the conservatorship can fund the recurring and regular expenses of the protected person before the entire net estate is consumed.

Line 11 – Estimate of Protected Person's Remaining Life Expectancy: Enter your good faith estimate of the remaining life expectancy of the protected person expressed in years. Just tell the Court what you think, not what you can prove. You may rely on your own experience, any opinions that you consider credible, such as the opinions of a medical professional, and life expectancy tables. However, do not use life expectancy tables without making adjustments for the particular circumstances of the protected person based upon the information that is reasonably available to you.

Line 12 – Conservatorship is Sustainable: Check the box for "Yes" if Adjusted Net Income on line 7 is a positive number OR if line 10 is equal to or greater than line 11. If not, check the box for "No".

Said another way, check "Yes", if the income exceeds expenses as reported on line 7. Likewise, check "Yes", if the number of years it takes to consume the estate is equal to or greater than the projected life expectancy of the protected person. Otherwise, check "No".

Line 13 – Management Plan: If line 12 is checked "No", describe your management plan for the conservatorship, since the estate is not expected to last the lifetime of the protected person. That plan shall include the future care

needs of the protected person shall be met. For example, there may be a need for an adjustment in the protected person's standard of living or a future need for public assistance.

The objective of the conservator must always focus on the best interests of the protected person, while respecting the wishes of the protected person to the extent not inconsistent with the protected person's best interests.

FORM 6: Conservator's Account:

Form 6 is largely a self-explanatory document; it serves as a coversheet for your complete annual report.

When filing Form 6, you are required to attach the Inventory, SCHEDULES 1, 2, and 3,. If you need to attach any supporting detail to any schedule, this detail is also a required attachment. Check each box on Form 6 for each included attachment.

When amending Form 6, include any required attachments that are changed as a result of the amendment. Check each box on an amended Form 6 for each included attachment.

Organize all required attachments in the same order as shown on Form 6.

Sign Form 6 when you are finished and have reviewed the form and all required attachments. When you sign, you are certifying that you have read and reviewed the entire report and, after reasonable inquiry, you have a good faith belief that the information in this report is true, accurate and complete to the best of your knowledge and belief.

Please remember, you will use Form 7 starting with your first conservator's account. Thereafter, you will continue use Form 8 for each of your subsequent annual conservator's accounts until you are ready to file your final account. Use Form 9 for your final conservator's account.

Please remember, if this conservatorship consists of a small estate or has very little activity, you can ask the Court to simplify your filing requirements, such as:

- Filing only an Inventory, rather than a complete Form 6, and
- Filing Form 10 for each of your conservator's accounts, which is a simplified annual reporting form.

However, you must file the detailed reports, unless simplified reporting procedures are authorized by the Court.